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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,868	03/12/2004	Jin Sheng Lai	3079/214	6614
22429 7590 09/20/2007 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314			EXAMINER STAFFORD, PATRICK	
			ART UNIT 2828	PAPER NUMBER
			MAIL DATE 09/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/798,868

Applicant(s)

LAI, JIN SHENG

Examiner

Patrick Stafford

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagamine et al (U.S. Patent 4,937,422, hereafter '422).

Claim 1: '422 teaches a control and compensation method for laser outputting, said method is used to compensate power of laser outputting within an unstable working area for obtaining consistence of energy same as a state in a stable working area (col. 1, lines 56-60), said method is characterized by that: before laser outputting, a short pulse by the table indexed by laser off time is used to energize laser to increase reaction speed of said laser (col. 4, lines 14-19); and an unstable working area thereafter is divided into a plurality of sections, each of said sections represents a reaction time value (col. 4, lines 30-34), and a reference table is used to record compensation power value required for each corresponding one of said reaction time values (col. 4, lines 38-46); so that when said laser outputting is within said unstable working area, its power is compensated in reference to said reference table for various positions of said sections (col. 4, lines 38-46).

Claim 2: '422 teaches the control and compensation method for laser outputting as in claim 1, wherein said unstable working area is divided into n sections (n is an integer larger than 1) (col. 4, lines 2-4).

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Claim 3: '422 teaches the control and compensation method for laser outputting as in claim 1, wherein said compensation power value is determined in corresponding to one of said reaction time values (col. 4, lines 30-34).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagamine et al (U.S. Patent 4,937,422, hereafter '422) in view of Barbour et al (U.S. Patent 6,318,828, hereafter '828).

'422 teaches the control and compensation method for laser outputting as in claim 1, wherein

a. upon starting emission of said laser, said laser is in a low energy state, a preset pulse is used to charge said laser system to increase reaction speed of said laser (col. 4, lines 14-19);

b. then power of said laser outputting is compensated in reference to said reference table (col. 4, lines 38-46);

c. when said laser outputting is kept on within said unstable working area, said power is automatically compensated in reference to said reference table by automatically checking out positions of said sections following increasing of work output (col. 4, lines 38-46);

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d. when said laser outputting passes over said unstable working area to said stable working area, said corresponding one of said reaction time values is a constant value, and compensation stops and normal energy output is maintained (col. 4, lines 38-46).

'422 does not explicitly teach the width of said pulse is determined by a time when said laser system is turned off. However, '828 teaches the width of said pulse is determined by a time when said laser system is turned off (col. 26, lines 59-63) in order to calibrate the system. Therefore, it would have been obvious to one of ordinary skill in that art at the time the invention was made to determine the pulse width by a time when the laser system is turned off in order to calibrate the system.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Stafford whose telephone number is (571) 270-1275. The examiner can normally be reached on M-Th 7:30-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MinSun Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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